

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

PATRICK COLLINS ,

Plaintiff,

Case No. 12-cv-13309

vs.

HON. GERSHWIN A. DRAIN

JOHN DOES 1-33,

Defendants.

**ORDER FINDING FEBRUARY 27, 2013 REPORT AND RECOMMENDATION [#26]
MOOT, JOHN DOE 27'S MOTION TO SEVER [#5] MOOT, JOHN DOE 28'S MOTION
TO QUASH SUBPOENA AND/OR SEVER [#8] MOOT, JOHN DOE 8'S MOTION TO
QUASH SUBPOENA AND/OR SEVER [#10] MOOT AND DISMISSING ACTION**

This case is one among many cases filed nationwide by copyright owners alleging that John Doe defendants downloaded their films without authorization using a peer-to-peer ("P2P") file sharing network known as BitTorrent. On August 17, 2012, this Court granted Plaintiff's Motion for Leave to Serve Third Party Subpoenas Prior to Rule 26(f) Conference so that Plaintiff could subpoena the third party service providers to ascertain the name, mailing address, and telephone number associated with the 33internet protocol addresses. Thereafter, John Does 8, 27 and 28 filed Motions to Quash and/or Sever. The motions were referred to Magistrate Judge Laurie J. Michelson for a report and recommendation pursuant to 28 U.S.C. § 636(b)(1)(A) and 28 U.S.C. § 636(b)(1)(B).

The magistrate judge issued a Report and Recommendation on February 27, 2013. Thereafter, on March 13, 2013, Plaintiff filed a Notice of Voluntary Dismissal indicating that it voluntarily dismisses John Does 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25,

26, 27, 29, 30, 31, 32, and 33 without prejudice.¹ On April 13, 2013, Plaintiff filed a Notice of Voluntary Dismissal indicating that it voluntarily dismisses John Doe 28 with prejudice and consents to the Court closing this case.

Accordingly, because John Does 8, 27 and 28 have been dismissed from this action, the Report and Recommendation [#26] is MOOT.

John Doe 27's Motion to Sever [#5] is MOOT.

John Doe 28's Motion to Quash the Subpoena and/or Sever [#8] is MOOT.

John Doe 8's Motion to Quash the Subpoena and/or Sever [#10] is MOOT.

This cause of action is dismissed.

SO ORDERED.

/s/ Gershwin A. Drain
GERSHWIN A. DRAIN
UNITED STATES DISTRICT JUDGE

Dated: June 27, 2013

CERTIFICATE OF SERVICE

Copies of this Order were served upon attorneys of record
on June 27, 2013, by electronic and/or ordinary mail.

/s/ Tanya Bankston
Deputy Clerk

¹ Plaintiff voluntarily dismissed John Does 1-7 on November 23, 2012 without prejudice.
See Dkt. No. 18.